



UTAH STATE

LEGISLATURE

MINUTES

SENATE JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE STANDING COMMITTEE

Friday, January 27, 2023 | 2:00 p.m. | 210 Senate Building

Members Present:

Sen. Todd D. Weiler, Chair
Sen. Kirk A. Cullimore
Sen. Luz Escamilla
Sen. Michael S. Kennedy
Sen. Jerry W. Stevenson

Members Absent:

Sen. Daniel W. Thatcher

Staff Present:

Sarah Flanigan, Policy Analyst
Nancy Skidmore, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Weiler called the meeting to order at 2:06 p.m.

MOTION: Sen. Kennedy moved to approve the minutes of the January 24, 2023, meeting. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 3

Sen. K. Cullimore
Sen. L. Escamilla
Sen. D. Thatcher

1. 1st Sub. H.B. 18 Online Dating Safety Amendments (*Romero, A.*)

Rep. Romero presented the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.B. 18 out favorably. The motion passed with a vote of 3 - 0 - 3.

Yeas - 3

Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 3

Sen. K. Cullimore
Sen. L. Escamilla
Sen. D. Thatcher

2. S.B. 58 Background Check Amendments (*Fillmore, L.*)

Sen. Fillmore presented the bill.

Levy Woodruff, citizen, spoke in favor of the bill.

MOTION: Sen. Kennedy moved to pass S.B. 58 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

3. S.B. 101 Peace Officer Training Modifications (*Kwan, K.*)

Brian Gwilliam, Chief of Police, Lone Peak, Board of Directors, Utah Chiefs of Police Association, spoke in favor of the bill.

Rae Duckworth, Operation Chairperson, Black Lives Matter Utah Chapter, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass S.B. 101 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

MOTION: Sen. Escamilla moved to place S.B. 101 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

4. S.B. 122 Drug Paraphernalia Amendments (*Plumb, J.*)

MOTION: Sen. Escamilla moved to replace S.B. 122 with 1st Substitute S.B. 122. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

Sen. Plumb presented the bill with the assistance of Heather Bush, HIV Prevention Manager, Utah Department of Health and Human Services.

Jeff Bauman, Association Director, Statewide Association of Prosecutors, spoke in favor of the bill.

Elizabeth Klc, Director, Utah Substance Abuse and Mental Health Advisory Council, spoke in favor of the bill.

Will Carlson, Salt Lake County District Attorney's Office, spoke in favor of the bill.

Collin Williams, citizen, spoke in favor of the bill.

Rae Duckworth, Operation Chairperson, Black Lives Matter Utah Chapter, spoke in favor of the bill.

Levy Woodruff, citizen, spoke in favor of the bill.

MOTION: Sen. Escamilla moved to pass 1st Substitute S.B. 122 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

5. S.B. 120 Property and Contraband Amendments (*Harper, W.*)

Sen. Harper presented the bill.

MOTION: Sen. Escamilla moved to pass S.B. 120 out favorably. The motion passed with a vote of 5 - 0 - 1.

Yeas - 5

Nays - 0

Absent - 1

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Sen. D. Thatcher

Sen. Escamilla assumed the chair.

6. S.B. 134 Sex and Kidnap Offender Registry Amendments (Weiler, T.)

Sen. Weiler presented the bill.

MOTION: Chair Weiler moved to amend S.B. 134 with Amendment #1. The motion passed with a vote of 5 - 0 - 1.

Amendment 1 S.B. 134

1. Page 1, Lines 11 through 18:

11 This bill:

12 ▶ removes a felony conviction for enticing a minor from the list of crimes that require
13 an offender to register on the Sex and Kidnap Offender Registry for the offender's
14 lifetime; and

15 ▶ { allows an offender convicted of a felony enticing a minor crime to petition to be
16 removed from the Sex and Kidnap Offender Registry five years after the day on
17 which the offender's sentence for that offense is terminated; and }

18 ▶ makes technical changes.

2. Page 4, Line 120 through Page 5, Line 122:

120 (2) The offenses referred to in Subsection (1)(a)(i) are:

121 (a) Section 76-4-401, enticing a minor{+}, if the offense is a class A misdemeanor{+};

122 (b) Section 76-5-301, kidnapping;

Yeas - 5

Nays - 0

Absent - 1

Sen. K. Cullimore
Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Sen. D. Thatcher

Mark Moffat, Criminal Defense Attorney, spoke in favor of the bill.

Te Anu Tonga, citizen, spoke in favor of the bill.

Rabbi Avremi Zippel, Chair, Utah Crime Victims Counsel, spoke in opposition to the bill.

Leah Hansen, citizen, spoke in favor of the bill.

Shane Johnson, citizen, spoke in favor of the bill.

MOTION: Chair Weiler moved to pass S.B. 134 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

Sen. Weiler resumed the chair.

7. S.B. 135 Government Transportation Cost Amendments (*Pitcher, S.*)

Sen. Pitcher presented the bill.

MOTION: Sen. Escamilla moved to pass S.B. 135 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

8. 1st Sub. H.B. 53 Protective Order Amendments (*Gwynn, M.*)

Rep. Gwynn presented the bill.

MOTION: Sen. Escamilla moved to pass 1st Substitute H.B. 53 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

9. H.B. 99 Sex Offender Restrictions Amendments (*Brammer, B.*)

Rep. Brammer presented the bill.

Faye Jenkins, citizen, spoke in opposition to the bill.

MOTION: Sen. Kennedy moved to pass H.B. 99 out favorably. The motion passed with a vote of 4 - 0 - 2.

Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

10. 1st Sub. H.J.R. 2 Joint Resolution Amending Rules of Civil Procedure on Injunctions (*Brammer, B.*)

[HJR2 - Civil Injunctions](#)

[Excerpt from the Amicus Curiae Brief Submitted by the Utah Legislature](#)

Rep. Brammer presented the bill.

Nicholeen Peck, President, Worldwide Organization for Women, spoke in favor of the bill.

Collin Williams, re-filing community organizer, Church of Protest, spoke in opposition to the bill.

Mary Taylor, President, Pro-life Utah, spoke in favor of the bill.

Daniel Olsson, citizen, spoke in opposition of the bill.

Gayle Ruzicka, Utah Eagle Forum, spoke in favor of the bill.

Rae Duckworth, citizen, spoke in opposition to the bill.

Mary Kelsch, citizen, spoke in favor of the bill.

Nancy Sylvester, General Counsel, Utah State Bar, spoke in opposition to the bill.

Lisa Petersen, Utah State Bar, spoke in opposition to the bill.

Aaron Bullin, citizen, spoke in favor of the bill.

Shane Johnson, citizen, spoke in opposition to the bill.

Glen Thurston, attorney, spoke in favor of the bill.

Mark Morris, 3rd Division Commissioner, Utah State Bar, spoke in opposition to the bill.

Justin Caplin, attorney, spoke in favor of the bill.

Levy Woodruff, citizen, spoke in opposition to the bill.

Grant Dickinson, attorney, spoke in opposition to the bill.

Benjamin Harmon, attorney, spoke in opposition of the bill.

Shauna Ehninger, citizen, spoke in opposition to the bill.

Kadee Powell, citizen, spoke in favor of the bill.

Brent Hall, attorney, spoke in opposition to the bill.

Michael Drechsel, Assistant State Commissioner, Administrative Office of the Courts, spoke to the bill.

MOTION: Sen. Kennedy moved to pass 1st Substitute H.J.R. 2 out favorably. The motion passed with a vote of 3 - 1 - 2.

Yeas - 3
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 1
Sen. L. Escamilla

Absent - 2
Sen. K. Cullimore
Sen. D. Thatcher

MOTION: Sen. Kennedy moved to adjourn. The motion passed with a vote of 4 - 0 - 2.



Yeas - 4

Sen. L. Escamilla
Sen. M. Kennedy
Sen. J. Stevenson
Sen. T. Weiler

Nays - 0

Absent - 2

Sen. K. Cullimore
Sen. D. Thatcher

Chair Weiler adjourned the meeting 4:44 p.m.